

Summary Minutes of the
Delta Protection Commission Meeting
Thursday, November 20, 2008

ADMINISTRATIVE AGENDA (Items 1-6)

1. Call to Order/Flag Salute

Chair Simonsen called the meeting to order at 5:40 p.m.

2. Roll Call

Present: Chair Simonsen; Commissioners Armor, Dawson, Johnston, Kelly, McGowan, Newton, Ruhstaller, Tilghman, Trott, and van Loben Sels.

Absent: Commissioners Becerra, Cabaldon, Calone, Dresser, Ferguson, Nottoli, Piepho, Reagan, Mark Wilson and Daniel Wilson.

3. Adoption and Presentation of Resolutions to Departing Commission Members in Appreciation of Their Service to the Commission.

This item was postponed to the next meeting due to the lack of a quorum

4. Recognize The Honorable Tom Torlakson as the Recipient of the Innovative Trails Transforming American Life Public Service Award From the National American Trails Organization.

Chair Simonsen presented Senator Torlakson with the Innovative Transforming American Life Public Service Award. The award was given to the Senator by the National American Trails Organization at a ceremony held in Little Rock, Arkansas; with a local presentation at the Commission meeting. The Commission nominated the Senator for the award in recognition of his vision in the creation and initial planning stages of the Great California Delta Trail.

Commissioner Johnston congratulated Senator Torlakson on the award. He noted that the Senator was instrumental in guiding development of the Delta Protection Act and has continued his service to local government.

5. A. Recognize Accomplishments of Suzanne Butterfield's Service to the Commission as Deputy Director, Special Projects and Acknowledge Her Retirement from State Service.

Chair Simonsen thanked Ms. Butterfield for her service and many contributions to the Commission as the Deputy Director of Special Projects. Ms. Butterfield retired from State service in July, 2008.

B. Introduce the New Commission Deputy Director of Special Projects, Brian Wilkinson.

Chair Simonsen welcomed Mr. Brian Wilkinson as the new Deputy Director of Special Projects. Mr. Wilkinson has over 23 years State service and most recently had worked for the Wildlife Conservation Board.

6. Public Comment. Opportunity for Members of the Public to Address the Commission. Comments Also Welcome as Agenda Items are Discussed.

There were no public comments.

CONSENT AGENDA (Items 7-23)

Chair Simonsen moved agenda items 10A/B to the Regular Agenda.

No action was taken on the remainder of the Consent Agenda due to lack of a quorum.

REGULAR AGENDA (Items 10, 24-32)

- 10. A. Appoint Commissioners Becerra and Armor as Co-representatives of the Commission on the California Aquatic Invasive Species Management Team.**
B. Appoint Commission Executive Director as Alternate Representative of the Commission on the Resources Agency, California Aquatic Invasive Species Management Team.

Linda Fiack reported that the Secretary for Resources sent a letter to the Commission asking for representatives to serve on the newly formed California Aquatic Invasive Species Management Team (CAAIST). The CAAIST will discuss the Invasive Species Management Plan which was developed by State agencies, academia, and stakeholders to address the environmental and economic threats posed by aquatic invasive species. Ms. Fiack recommended that Commissioners Becerra and Armor be appointed to serve as the representatives and she as their alternate.

Chair Simonsen directed Commissioners Becerra and Armor to serve on the CAAIST and Ms. Fiack to serve as alternate pending formal appointment by the Commission at the next meeting.

- 24. Receive Informational Presentation from the Delta Counties of Contra Costa, Sacramento, Solano, and Yolo on each one's General Plan/General Plan Update Process, Particularly as Relates to the Delta Primary and Secondary Zones, the Policies of the Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta, and the Delta Protection Act.**

Pat Roche, Program Manager, Contra Costa County, reported that the County has been incorporating the Commission's Land Use Plan into the County's general plan since 1996. He said that there would be some amendments to the general plan—mainly due to the economy and that the County would update its safety portion of the plan with regards to SB 165.

Mike Yankovich, Planning Program Manager, Solano County, stated that the general plan lists a number of the Commission's policies, and two critical areas—the Suisun Marsh and the Delta. He said that Solano County has been working with Commission Staff and the San Francisco Bay Conservation and Development Commission on the general plan. Mr. Yankovich further stated that general plan was adopted by Board of Supervisors in August 2008, would go up for vote in the November 2008 election and it is hoped to have election results certified by the end of the year.

Dave Defante, Senior Planner, Sacramento County reported that the draft plan was released in 2006. He said that a Delta element has been included in the general plan, with other policies that encompass ag-tourism, agriculture, conservation, scenic highway, circulation and land use. Mr. Defante said the EIR should be released in the spring of 2009 and the final document is to be adopted at the end of 2009 or early 2010.

Commissioner Trott asked what kind of support the County provided to ag-tourism. Mr. Defante responded that the County was still trying to figure this out and get ag-tourism off the ground. Commissioner Trott also asked about actions for the conservation element (CO-67). Mr. Defante responded he did not know.

David Morrison, Assistant Director, Yolo County, reported that the County had 30 public meetings thus far on the general plan update. He said that the draft was released September, 2008 and the County has received comments from the Commission which would be incorporated. Mr. Morrison stated that the plan designates Clarksburg as an agricultural district and this would help facilitate enterprise zones and preserve Clarksburg as a legacy town in the Delta. He noted that the plan is supportive of recreation—including fishing and the Delta Trail and designating South River Road as a scenic highway; and, is integrating the HCP/NCCP and support for a Delta Conservancy. Mr. Morrison said the Yolo County Board of Supervisors would have another hearing in January, 2009 to further review the plan and make more revisions.

Commissioner van Loben Sels asked if the farm worker housing would be county-wide. Mr. Morrison responded yes. Commissioner van Loben Sels cautioned that the Yolo County Planning Department should have a code listed in the general plan for farm worker housing and should look to Napa as an example.

Commissioner Trott asked what actions were in place to ensure authority that ag support would remain in the Delta. Mr. Morrison responded that the County is developing a 100 acre winery area.

Peggy Bohl, Clarksburg stated that the Delta Vision has replaced Clarksburg with West Sacramento as the gateway to the Delta.

25. A. Receive Informational Presentation from Metropolitan Water District (MWD) on the Delta Two-Gate Fish Protection Demonstration Project.

B. Receive Information on Department of Water Resources Franks Tract Project.

Greg Gartrell, Contra Costa Water District, reported that the two-gate fish protection project was a pilot program to install temporary swing gates on Bacon and Mandeville Islands to help control salinity. He said the gates would also help push fish past (and not into) the State pumps and would operate outside of the recreational season. Mr. Gartrell stated that the draft documents are available, and in the meantime MWD is trying to do more outreach in the boating community.

Commissioner van Loben Sels asked if hydrologists have speculated if both projects would move forward. Mr. Gartrell responded that both projects are beneficial as the goal is to protect fish.

Commissioner Dawson asked if there had been consultation with the Department of Boating and Waterways. Mr. Gartrell responded not as of yet.

Commissioner Newton asked when the environmental documents would be made public. Mr. Gartrell responded it is hoped they would be available by December 2008.

Commissioner Kelly commented that the proponents of the projects have submitted a Mitigated Negative Declaration and DWR is reviewing the document to determine if it addresses the issues.

Commissioner Kelly reported that the Franks Tract project is a DWR project that involves installing gates on Three Mile Slough and West False River for fish protection and water quality. She said that DWR is has grappled with the pilot project because of boats and passage issues. Commissioner Kelly stated that the NOP has been released and the EIR/EIS would be out by next year.

Kay Power, Antioch stated that the boating community is opposed to the Franks Tract project and urged the public to write a strongly worded letter in opposition.

26. Receive Informational Presentation from California State Parks Staff on the Department's Central Valley Vision Implementation Plan, Particularly Components Relative to the Delta and the Policies of the Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta.

Dan Ray reported that five years ago, California State Parks began to recognize the legacy of the Delta and the need for state parks within the Delta to meet the public's recreational needs. He said that the existing recreational opportunities in the Delta are small and generally lacking facilities. Mr. Ray stated that the California Office of State Parks is trying to determine how to respond to the demographics of the Delta and are using a base camp strategy so that state parks can host activities. In trying to do so, the Office of State Parks has released a draft Central Valley Vision Implementation Plan to address those needs. The office is hosting workshops and is asking for feedback and public comments.

Commissioner McGowan asked if the presentation could be made before the Yolo County Board of Supervisors. Mr. Ray responded yes.

Commissioner Johnston asked how do State Parks and the State Lands Commission work together. Mr. Ray responded that State Parks handles designated units and Commissioner Newton responded that State Lands handles the land leases to State Parks.

27. Receive Informational Update on Delta Trail Planning Process and Project Components Underway in Solano and Contra Costa Counties.

Ms. Fiack reported that the Commission has received \$80,000 from Contra Costa County toward the Delta Trail planning process. Half of the monies would be cash and the other half from in-kind services. Ms. Fiack also reported that the Commission was able to work with the State Lands Commission to obtain \$400,000 for the Glen Cove Master Plan Project to include a

component of the Delta Trail; and the Commission has applied for grant funds from the Solano County Kinder Morgan pipeline mitigation account.

28. A. Receive Delta Vision Strategic Plan Finalized Pursuant to Consideration by the Delta Vision Blue Ribbon Task Force on October 17, 2008 and Presented to the Delta Vision Committee Chaired by Secretary for Resources for Consideration and Submittal to the Governor by December 31, 2008.

B. Consider Directing Staff to Send a Letter of Comment (*if deemed appropriate*) to the Delta Vision Committee, in Addition to Previous Comments Provided by the Commission to the Task Force on August 14, 2008 and September 29, 2008, Relative to the Delta Protection Act, the Policies of the Commission's Management Plan and the Components of the Commission's Strategic Plan.

It was reported by a commissioner that components of the (draft) final strategic plan, relative to governance, was discussed at a meeting of the Delta counties with Resources Agency staff.

Chair Simonsen stated that because the Commission could not respond since the documents had not been released, he felt that it would be appropriate for the Executive Director to send a letter of comment as she has a sense of the Commission's perspective. He also asked that Commissioners contact Ms. Fiack with suggestions.

Dan Siegel cautioned that Bagley-Keene prohibited the Commission from contacting Ms. Fiack as a group.

29. A. Receive Status Overview of the Commission's Management Plan Update Process.

B. Provide Input and Direction to Staff and Consultant Team Pursuant to Commission Member Discussion.

Ms. Fiack reported that the Management Plan Advisory Team would be hosting two public workshops in early January and it is hoped to have some very general information brought before the Commission at its January, 2009 meeting.

30. Commissioner and Staff Comments/Announcements.

Chair Simonsen announced that he may not be attending the January meeting due to the outcome of the election.

31. CLOSED SESSION. At a Convenient Time During the Meeting, the Commission May Have a Closed Session, Pursuant to Government Code Section 11126(e), to Conduct Annual Evaluation for the Executive Director.

The Commission convened into Closed Session at 8:15 p.m. The Closed Session was adjourned at 8:40 p.m.; there was no report out of Closed Session.

32. ADJOURN

The meeting was adjourned at 8:45 p.m.